IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

APPEAL FROM ORDER NO. 690 OF 2002

WITH

CIVIL APPLICATION NO. 274 OF 2007

Sambhaji Rangao Pawar .. Applicant
(Org. Plaintiff)

Versus

Anil Sampatrao Jadhav & Ors. .. Respondents

Mr.Uday P.Warunjikar Advocate, for the applicant.
Mr.Dilip Bodke, Advocate, for the respondents

CORAM: J.H.BHATIA,J.

DATE: 20th December,2007.

P.C.

1. The parties along with their Counsel are present.

2. With consent of the learned Counsel for the parties, the Appeal and the Civil Application stand disposed of with the following directions :-

(i) The Joint Civil Judge, Senior Division, Satara before whom the Special Civil Suit No.185 of 2001 filed by the appellant is pending, shall dispose of that suit, as expeditiously as possible, and in any case, by the end of April, 2008.

(ii) The parties shall fully co-operate with the trial Court and shall not seek any adjournment unless it is absolutely necessary or the circumstances are beyond their control.

(iii) Pending the suit, the Nazar of the Joint Civil Judge, Senior Division, Satara, is hereby appointed as Receiver of the suit property including the standing sugarcane crop thereon. The Nazar shall arrange to cut
and supply the sugarcane to Sahyadri Sahakari Karkhana, Karad. and after deduction of the expenses of cutting crop and transportation to the sugar factory, the Sugar factory shall make payment of the balance price of the sugarcane to the Nazar who shall deposit the amount in

the Court of Joint Civil Judge, Senior Division, Satara, in the account of Special Civil Suit No.185 of 2001.

(iv) The Sugar Factory shall not make any deduction on account of any loans taken by any of the parties. In case it is found that certain deductions other than those mentioned above are required to be made from the price of the sugarcane supplied to the Sugar Factory. The Sugar Factory can move the trial Court for appropriate directions.

(v) All contentions and rights of the parties are left open.

(vi) The parties and authorities concerned shall act upon the authenticated copy of this Order.

(J.H.BHATIA,J.)